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**FILED**

**JAN 13 2009**

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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**MEJ**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

**CV 09**  
Case No.:

**0155**

15 RUEDELL L. WALKER,  
16 Plaintiff,

17 v.

18 TETRA TECH EC, INC, TETRA TECH INC,  
19 and DOES 1-50, inclusive  
20 Defendants.

**COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF**

(Title VII, 42 U.S.C. § 2000e)

**JURY TRIAL DEMANDED**

21  
22 Plaintiff, RUEDELL L. WALKER, complains against defendants and each of them and  
23 alleges causes of action as follows.

**I. JURISDICTION AND VENUE**

24  
25 1. This action arises under 42 U.S.C. § 2000e *et seq.* Jurisdiction is conferred by  
26 virtue of 28 U.S.C. §§ 1331 and 1343.  
27  
28

2. The conduct alleged herein occurred in the City and County of San Francisco. Venue of this action lies in the United States District Court for the Northern District of California.

## II. PARTIES

3. Plaintiff RUEDELL L. WALKER (hereafter "WALKER") is an African-American woman who, at all times mentioned, was an employee of TETRA TECH EC, INC. and TETRA TECH, INC.

4. Defendants, TETRA TECH EC, INC. and TETRA TECH, INC (hereinafter "TETRA TECH") are corporations doing business in the State of California.

5. Plaintiff is ignorant of the true names and capacities, whether individual, corporate or otherwise of DOES 1 through 50 herein, and prays leave of Court to insert the true names and capacities of such Defendants when they become known or ascertained together with appropriate charging allegations.

6. In doing the acts or omissions complained of Defendants, their agents and employees, acted or failed to act in concert and/or with the authorization and knowledge of each other.

## III. STATEMENT OF FACTS

7. Plaintiff was hired as an operating engineer in May 2005. Thereafter, she noticed that a number of male employees with less training and experience were promoted to positions for which she was as, or more, qualified. She also observed that in the seasonal process of layoffs and recalls that men were favored over women when it came to decisions to rehire.

8. On or about April 2006 plaintiff reported problems regarding a faulty machine. In May 2006 the plaintiff was falsely accused of causing damage to a machine. This false allegation was used as pretext to terminate her on May 24, 2006 because of her gender and/or race. The plaintiff is aware of a male employee (Juan Rodriguez) who caused substantial damage to a machine but was not terminated. Plaintiff has information and believes that other male employees have caused damage to equipment but have not been terminated or otherwise disciplined.

10. On or about January 9, 2007, the plaintiff made a complaint of discrimination to the EEOC and the California Department of Fair Employment and Housing. Plaintiff WALKER received a notice of right to sue from the EEOC dated October 16, 2008.

11. As a result of the acts and omissions of alleged herein, Plaintiff WALKER has sustained and will continue to sustain substantial losses of earnings, promotions, bonuses and benefits. In addition, Plaintiff WALKER has suffered and will continue to suffer damage to her career and reputation in an amount to be determined according to proof.

13. Plaintiff WALKER was required to retain counsel and is entitled to reasonable attorneys' fees should he prevail in this action.

14. The acts or omissions of the Defendants, and each of them, as alleged in this Complaint, were willful, reckless, malicious, oppressive or done with a conscious or reckless disregard for the rights of Plaintiff WALKER. Plaintiff WALKER therefore prays for an award of punitive and exemplary damages according to proof.

15. Plaintiff WALKER hereby re-alleges and incorporates by reference as though fully set forth herein all prior paragraphs of this Complaint.

16. At all times herein mentioned, Title VII, 42 U.S.C. section 2000e *et seq.* was in full force and effect and was binding upon the defendants, TETRA TECH. Said sections

1 prohibited the defendant employers from discriminating against its employees based on race or  
2 gender.

3 17. Defendants, TETRA TECH, by and through the acts and omissions alleged herein,  
4 discriminated and retaliated against Plaintiff WALKER because of race and gender. The  
5 discrimination was a motivating factor in causing injuries and damages to Plaintiff WALKER.

6 WHEREFORE, Plaintiff WALKER prays for relief as set forth herein.

7  
8 **JURY DEMAND**

9 18. Plaintiff WALKER hereby demands a jury trial.

10  
11 **PRAYER FOR RELIEF**

12 Plaintiff WALKER prays for relief as follows:

- 13 1. For compensatory damages and other economic damages according to proof;  
14 2. For general damages according to proof;  
15 3. For an award of prejudgment interest at the legal rate according to proof;  
16 4. For an award of punitive damages;  
17 5. For an award of attorney's fees and costs as permitted by law;  
18 6. For injunctive relief designed to remedy the unlawful practices alleged herein; and  
19 7. For such other and further relief as the Court may deem necessary and appropriate.

20  
21 **DATED:** January 7, 2009

**SCOTT LAW FIRM**

22  
23 By:

  
24 **JOHN HOUSTON SCOTT**  
25 Attorneys for Plaintiff  
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